

(English version)

**Question for written answer E-002602/25
to the Commission
Maria Ohisalo (Verts/ALE)
(27 June 2025)**

Subject: Compliance with the EU's Extractive Waste Directive and the treatment of mining waste in Finland

In the EU, the management of waste from the extractive industries is governed by legislation based on the Extractive Waste Directive, under which Member States must ensure that extractive waste is managed without endangering human health and without using methods which could harm the environment, in particular water, air, soil, fauna and flora — also after mining has ceased ⁽¹⁾.

In Finland, hazardous waste from mines is often dealt with inadequately and the long-term effects of mining waste are not properly assessed. For example, Terrafame's mine has produced huge areas of waste rock, which pose a risk of major accidents ⁽²⁾ — hazardous substances could leach into watercourses when it rains on the masses of waste rock ⁽³⁾.

Extractive waste can be hazardous for the environment over hundreds of years. Although the masses of waste rock at Terrafame's mine are set to be covered in summer 2025, the plans for the safe treatment of mining waste once mining activities have ceased are inadequate, and in this respect are in breach of the EU's Extractive Waste Directive.

In addition, mines are increasingly being established in areas with fewer mineral deposits, meaning that mining generates more waste rock and waste in general and may not even be economically viable. This problem is a relevant one because the expansion of Terrafame's mine has been selected as a strategic project under the Critical Raw Materials Act ⁽⁴⁾.

How will the Commission ensure that the Member States comply with the Extractive Waste Directive, especially after mining activities have ceased?

Submitted: 27.6.2025

**Answer given by Ms Roswall on behalf of the European Commission
(27 August 2025)**

The Extractive Waste Directive (EWD) ⁽¹⁾ sets an ambitious level of environmental and human health protection and contains distinct provisions for the after-closure phase of extractive waste facilities.

Article 11 stipulates that already during the construction and management phase of the extractive waste facility, the competent authorities shall verify that the operator ensures that suitable arrangements are made for the rehabilitation of the land and the closure of the waste facility and for the after-closure phase of the waste facility.

Article 12 lays down requirements for the start of the closure procedure. The operator shall also be responsible for the maintenance, monitoring, control and corrective measures in the after-closure phase for as long as may be required by the competent authority, taking into account the nature and duration of the hazard.

Furthermore, the financial guarantee under Article 14 aims to secure the proper closure and rehabilitation of the affected land. There need to be funds readily available at any given time for the rehabilitation of the land affected by the waste facility.

All Member States have transposed the directive and there are no infringements pending. The directive leaves a margin of appreciation to the competent authorities for the application of the provisions.

It is the primary responsibility of the Finnish authorities to adequately enforce the national provisions transposing the EU environmental legislation on extractive waste.

In its role as guardian of the Treaties, the Commission will continue monitoring the situation and may decide to take appropriate action. In line with its strategic approach on enforcement action ⁽²⁾, the Commission focuses on systemic non-compliance.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32006L0021>

² <https://yle.fi/a/74-20168383>

³ https://www.sll.fi/wp-content/uploads/2024/10/kaivosjateraportti_natunensll_2022.docx-1-1.pdf

⁴ https://single-market-economy.ec.europa.eu/sectors/raw-materials/areas-specific-interest/critical-raw-materials/strategic-projects-under-crma/selected-projects_en

⁽¹⁾ Directive 2006/21/EC of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries and amending Directive 2004/35/EC — Statement by the European Parliament, the Council and the Commission, OJ L 102, 11.4.2006, p. 15-34.

⁽²⁾ As set out in the communication of 19 January 2017: EU law: Better results through better application — C/2016/8600, OJ C 18, 19.1.2017, p. 10-20 and in the communication of 13 October 2022: COM(2022) 518 final — Enforcing EU law for a Europe that delivers.